

**STATE OF ILLINOIS  
ILLINOIS LABOR RELATIONS BOARD  
STATE PANEL**

**Minutes of the State Panel Meeting  
Held on December 8, 2009**

**I. OPENING OF MEETING 11:00 A.M.—160 North LaSalle Street, Suite S-400, Chicago, IL**

**II. PRESENT**

Jacalyn J. Zimmerman, Chairman; Michael Coli, Member of the Board; Michael Hade, Member of the Board; Albert Washington, Member of the Board; John F. Brosnan, Executive Director; and staff members. John F. Brosnan and Sylvia Rios acted as counsel to the Board at this meeting.

**III. APPROVAL OF MINUTES OF REGULAR MEETING HELD NOVEMBER 10, 2009**

Chairman Zimmerman called for approval of the minutes of the November 10, 2009 meeting. Member Coli moved to approve the minutes. Member Washington seconded. The Board passed the motion unanimously, by a voice vote.

**IV. ADMINISTRATIVE MATTERS**

Executive Director Brosnan asked to defer until the next meeting, consideration of the State Panel administrative actions report for the period of time from November 1 through November 30, 2009. After consideration, the Board granted his request.

**V. BOARD ACTIONS**

**1. Case No. S-RC-08-036**

**American Federation of State, County and Municipal Employees, Council 31/State of Illinois, Department of Central Management Services/Illinois State Employees Association, Laborers Int'l Union, Local 2002 & Service Employees Int'l Union, Local 73**

Chairman Zimmerman called the case. Acting General Counsel Brosnan reviewed the issues presented by the exceptions to Administrative Law Judge (ALJ) Harvey's Recommended Decision and Order (RDO), and recommended that the Board accept the result determined by the ALJ, except as to six of the petitioned-for employees whom he listed. He recommended that those six be added to the list of 74 employees as to whom the Employer established the existence of a question of law or fact necessitating a hearing, bringing the total number of such employees to 80. He further recommended that since the status of less than ten percent of the employees in the proposed bargaining unit remained in dispute, that the Board direct that the impounded ballots be opened and counted in accordance with the instructions provided by the ALJ. During the discussion which followed, Chairman Zimmerman noted that with regard to certain of the employees as to whom the Employer established the existence of a question of law or fact necessitating a hearing, but only as to one or two indicia, the ALJ limited the scope of hearing to those indicia. Chairman Zimmerman stated that under the circumstances of this case, the imposition of such a limitation was inadvisable, and instead, proposed as to those employees, that the Board direct a full hearing on the merits as to all applicable supervisory indicia. Member Hade moved to accept both Chairman Zimmerman's proposal and the acting general counsel's recommendation. Member Washington seconded the motion, and the Board passed it unanimously, by a voice vote.

**2. Case No. S-UC-08-023**

**International Brotherhood of Electrical Workers, Local 196/Village of Richmond**

Chairman Zimmerman called the case, noting that no party filed exceptions to ALJ Wells' RDO, and asked whether the Board wished to review the decision on its own motion. The Board declined to do so.

**3. Case No. S-UC-08-144**

**International Union of Painters & Allied Trades District Council No. 58/City of Roodhouse**

Chairman Zimmerman called the case, noting that no party filed exceptions to ALJ Rios' RDO, and asked whether the Board wished to review the decision on its own motion. The Board declined to do so.

**4. Case No. S-CA-09-220**

**Debra Baxton/State of Illinois, Department of Central Management Services**

**Case No. S-CB-09-036**

**Debra Baxton/Service Employees International Union, Local 880**

Chairman Zimmerman called the case, noting that Executive Director Brosnan issued a dismissal on September 23, 2009, with an appeal filed. Acting General Counsel Rios reviewed the issues presented by the appeal, and recommended that the Board uphold the executive director's order. After discussion, Member Coli moved to uphold the executive director's order. Member Washington seconded the motion, and the Board passed it unanimously, by a voice vote.

**VI. OTHER BOARD MATTERS**

The Board examined and discussed the fiscal report distributed by staff. Thereafter, the Board concluded that there was no need for executive session.

**VII. ADJOURNMENT**

Chairman Zimmerman called for a motion to adjourn. Member Hade made a motion to adjourn the meeting, and the Board passed it unanimously, by a voice vote.

**Adopted and approved by the Chairman and Members of the State Panel of the Illinois Labor Relations Board, in Chicago, Illinois, this 9<sup>th</sup> day of February, 2010.**